

REMARKS

Claims 1, 5, 6, 8-10, 13-19, 25 and 26 are currently pending in the subject application, and are presently under consideration. Claims 1, 5, 6, 8-10, 19 and 25 are allowed. Claims 13-16, 18 and 26 are rejected. Claim 17 has been indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Favorable reconsideration of the application is requested in view of the amendments and comments herein.

I. Objection to the Drawings

The drawings have been objected to for failing to illustrate all of the elements of claims 1 and 17 as arranged the claims. Claim 1 has been amended to be consistent with FIG. 14. Claim 17 has been cancelled. It is thus respectfully requested that the objection to the drawings be withdrawn.

II. Rejection of Claims 13-15 and 26 Under 35 U.S.C. §103(a)

Claims 13-15 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,144,694 to Uta, et al. ("Uta") in view of U.S. Patent No. 6,345,073 to Curry, et al. ("Curry"). As the rejection is understood, the Examiner is reading the transmitter of Uta and the receiver of Curry as a single DSSS communications system. The reasoning behind the combination is that one of skill in the art would find it obvious to combine a DSSS transmitter and a DSSS receiver as part of a single communications system, as DSSS signals are resistant to interference.

In the interest of facilitating prosecution of this application, claims 13 and 26 have been each been amended to explicitly recite a transmitter system, as opposed to a communications system or signal conversion system, and a transmitting step or means configured to transmit the despread signal has been added. It is respectfully submitted that Uta in view of Curry does not suggest a single transmitter that spreads a signal, clips the signal, converts the signal between two domains, and despreads the signal prior to transmission. While the Examiner has presented

a rationale for using Uta's transmitter to transmit a signal to Curry's receiver, it is respectfully submitted that it would not have been obvious to one of skill in the art, presented with Uta and Curry, to despread the clipped, converted signal prior to transmission. It is thus respectfully requested that the rejection of claims 13 and 26 be withdrawn.

Claims 14 and 15 depend from claim 13, and are allowable for at least the same reasons. It is thus submitted that claims 13-15 and 26 should be patentable over the cited art, and withdrawal of this rejection is respectfully requested.

III. Rejection of Claim 16 Under 35 U.S.C. §103(a)

Claim 16 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Uta in view of Curry as applied to claim 15, and further in view of U.S. Patent No. 6,420,987 to Schoner, et al. ("Schoner"). Claim 16 depends indirectly from claim 13, and is allowable for at least the reasons discussed for claim 13. Schoner does not remedy the deficiencies of Uta in view of Curry, as described previously. It is thus respectfully submitted that claim 16 should be patentable over the cited art, and withdrawal of this rejection is respectfully requested.

IV. Rejection of Claim 18 Under 35 U.S.C. §103(a)

Claim 18 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Uta in view of Curry as applied to claim 15, and further in view of U.S. Patent No. 6,738,604 to Swazey ("Swazey"). Claim 18 depends indirectly from claim 13, and is allowable for at least the reasons discussed for claim 13. Swazey does not remedy the deficiencies of Uta in view of Curry, as described previously. It is thus respectfully submitted that claim 18 should be patentable over the cited art, and withdrawal of this rejection is respectfully requested.

CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

Date 5 November 2008

/Christopher P Harris/

Christopher P. Harris
Registration No. 43,660

CUSTOMER No.: 26,294

TAROLLI, SUNDHEIM, COVELL, & TUMMINO L.L.P.
1300 EAST NINTH STREET, SUITE 1700
CLEVELAND, OHIO 44114

Phone: (216) 621-2234
Fax: (216) 621-4072